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PATENT

Our Docket: P-IS 4373

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Biaoyang Lin

Serial No.: 09/821,812

Filed: March 28, 2001

For: ANDROGEN REGULATED PROSTATE  
SPECIFIC NUCLEIC ACIDS

)  
) Examiner: Not Yet Assigned  
)

) Group Art Unit: 1646  
)

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) envelope addressed to: Commissioner for  
) Patents, Attention Box Missing Parts,  
) Washington, D.C., 20231, on  
) June 8, 2001.

COMMISSIONER FOR PATENTS  
Attention Box Missing Parts  
WASHINGTON, D.C. 20231

By Andrea L. Gashler  
Andrea L. Gashler, Reg. No. 41,029

June 8, 2001  
Date of Signature

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Dear Sir:

In response to the Notice to File Missing Parts mailed May 31, 2001, enclosed herewith in connection with the above-identified application, please find the following documents:

- X 1. A copy of the Notice to File Missing Parts mailed May 31, 2001; and
- X 2. A Communication (in duplicate) with attached Exhibits:
  - A: Copy of Transmittal filed with the U.S. Patent and Trademark Office on May 23, 2000
  - B: Copy of return postcard indicating OIPE date stamp of May 29, 2001

Inventor: Biaoyang Lin  
Serial No.: 09/821,812  
Filed: March 28, 2001  
Page 2

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.

X Any additional filing fees required under 37 C.F.R. 1.16.

X Any patent application processing fees under 37 C.F.R. 1.17.

X The Commissioner is hereby authorized to charge to Deposit Account No. 03-0370 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted

Date: June 8, 2001

By: Andrea L. Gashler  
Andrea L. Gashler  
Reg. No. 41,029

CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
7<sup>th</sup> Floor  
San Diego, California 92122  
Telephone: (858) 535-9001  
Facsimile: (858) 535-8949  
**USPTO CUSTOMER NO. 23601**



Copy of Notice to File Missing  
Parts Mailed May 31, 2001

Attorney Docket No. DEC 43-13  
Serial No.: 09/821, 412

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By Andrea L. Gashler  
Andrea L. Gashler, Reg. No. 41,029

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/821,812	03/28/2001	Biaoyang Lin	P-IS 4373

CONFIRMATION NO. 5002

## FORMALITIES LETTER



\*OC000000006131786\*

CAMPBELL & FLORES LLP  
7th Floor  
4370 La Jolla Village Drive  
San Diego, CA 92122

Date Mailed: 05/31/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$2918.
  - \$918 for 51 total claims over 20.
  - \$2000 for 25 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 3758.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to

be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



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PATENT  
Our Docket: P-IS 4373

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: )  
Biaoyang Lin ) Examiner: Not Yet Assigned

Serial No.: 09/821,812 ) Group Art Unit: 1646

Filed: March 28, 2001 )

For: ANDROGEN REGULATED PROSTATE )  
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Commissioner for Patents  
Washington, D.C. 20231  
ATTN: BOX MISSING PARTS

By Andrea L. Gashler  
Andrea L. Gashler, Reg. No. 41,029

June 8, 2001  
Date of Signature

**COMMUNICATION**

Sir:

Responsive to the Notice to File Missing Parts of  
Non-provisional Application mailed May 31, 2001, enclosed as  
Exhibit A is a copy of the Transmittal filed with the U.S. Patent  
and Trademark Office on May 23, 2001. As indicated on the  
Transmittal, the following documents were filed with the U.S.  
Patent and Trademark Office on May 23, 2001:

1. An executed Declaration for Patent Application in  
the above-identified U.S. Patent Application;
2. A Recordation Form Cover Sheet and an executed  
Assignment;
3. An executed Small Entity Statement;
4. An executed Power of Attorney for Patent  
Application by Assignee;
5. An executed Statement Under 37 C.F.R. §3.73(b)  
with copy of executed Assignment;

Inventor:           Biaoyang Lin  
Serial No.:        09/821,812  
Filed:             March 28, 2001  
Page 2

6. Paper copy of Sequence Listing, pages 1 through 16;
7. Statement Under 37 C.F.R. § 1.821(f) and (g);
8. Sequence listing in computer readable form; and
9. Check number 26423 in the amount of \$1999.00 to cover the filing fee of \$1894.00, the surcharge fee of \$65.00, and \$40.00 for recording an Assignment;

Further, attached as Exhibit B is copy of the return postcard stamped by the OIPE indicating that the above-identified documents were received at the U.S. Patent and Trademark Office on May 29, 2001.

If there are any additional fees associated with the Notice to File Missing Parts of Nonprovisional Application mailed May 31, 2001, please charge these additional fees or credit any overpayment to Deposit Account No. 03-0370. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: June 8, 2001

Andrea L. Gashler  
Andrea L. Gashler  
Registration No. 41,029  
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